

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

United States District Court
Southern District of Texas
FILED

JUL 21 2016

UNITED STATES OF AMERICA

V.

David J. Bradley, Clerk

CRIMINAL COMPLAINT

Emanuel Eduardo Pacheco-Valladares

Principal

Case Number:

YOB: 1990

the United Mexican States

M-16-1368-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 19, 2016 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Elsa Paulina Cruz-Perez, a citizen and national of Guatemala, and Maria Isabel Beltran-Navarrete, a citizen and national of Mexico along with twenty-five (25) other undocumented aliens, for a total of twenty-eight (28), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On July 12, 2016, the Rio Grande Valley Field Intelligence Team (FIT) received information from the Texas Department of Public Safety Criminal Investigation Division (Texas DPS CID) of suspicious activity at 5235 N. Los Ebanos Road, Mission Texas.

On July 19, 2016, RGV FIT Agents A. Solis and G. Garcia, observed a green Toyota Camry bearing temporary license plates parked at the 5235 North Los Ebanos Road, Mission Texas. Shortly after beginning surveillance, several subjects were observed at the rear of the home walking about and around the vehicle. Three subjects, one being, Emanuel Eduardo PACHECO-Valladares and two other subjects were observed loading into the Camry and departed the home at 5235 N. Los Ebanos Road, Mission Texas.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved by: Leo J. Leo, III
AUSA

Julio Pena
Signature of Complainant

Julio Pena Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

July 21, 2016
Date

at McAllen, Texas
City and State

Peter E. Ormsby, U. S. Magistrate Judge
Name and Title of Judicial Officer

Peter E. Ormsby
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

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RE: Emanuel Eduardo Pacheco-Valladares

CONTINUATION:

The vehicle was followed to a local Wal-Mart and PACHECO-Valladares and a one of the two passenger exited the vehicle and were observed at the Money Gram desk. After about 10 minutes at the Money Gram desk, the second passenger joined the others.

The subjects left the Wal-Mart and drove back to the home on North Los Ebanos. Shortly after arriving, PACHECO-Valladares once again left the home was followed to the HEB grocery store where a red Chevy Equinox arrived and parked beside PACHECO's green Toyota Camry. Three subjects were seen exiting the Chevy Equinox and loading into the green Toyota Camry.

PACHECO-Valladares drove the subjects to the home on Los Ebanos. Once again, PACHECO left the home and was followed to a Wal-Mart in Alton, Texas. At this time, Supervisory Border Patrol Agent Tovar requested assistance from the Alton Police Department and Officer Avila made contact with PACHECO-Valladares, and issued him a citation for displaying an expired temporary plate. After Border Patrol Agents made contact with Alton PD Officer Avila PACHECO-Valladares was separated from the two other subjects in the vehicle and questioned by BPA Solis. BPA Solis read PACHECO-Valladares his Miranda rights, and PACHECO-Valladares verbally waved his rights.

PACHECO-Valladares admitted to harboring undocumented aliens at 5235 N. Los Ebanos Road, Mission Texas, and there were about 26 undocumented aliens currently at the home. PACHECO-Valladares stated that he rented the residence for the purpose of harboring undocumented aliens.

PACHECO-Valladares granted Border Patrol Agents written consent to search and enter the home on North Los Ebanos Road. Furthermore, PACHECO-Valladares admitted to being present in the United States without any immigration documents that would allow him to enter or reside in the United States under legal status.

The passengers were questioned as to their immigration status, and they both freely admitted to being present in the United States without any immigration documents that would allow them to enter or reside in the United States under legal status.

Once arriving with at the home, Border Patrol Agents and Alton PD officers were able to make entry into the home. Several subjects could be heard in the attic of the home and eight people were found in the living room. The additional two bedrooms were holding multiple subjects. A total of twenty-six (26) subjects were accounted for inside the home.

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CONTINUATION:

All subjects were briefly interviewed and they all claimed to be foreign nationals with no legal documentation to enter or reside in the United States under legal status.

All subjects were transported to the Weslaco Border Patrol Station for interview and processing.

PRINCIPAL STATEMENT: Emanuel Eduardo PACHECO-Valladares

Emanuel Eduardo Pacheco-Valladares was advised of his rights, understood his rights and was willing to give a sworn statement without the presence of an attorney.

Emanuel Eduardo Pacheco-Valladares, a citizen and national of Mexico, told agents he illegally entered into the United States on May 29, 2016 near Reynosa, Tamaulipas, Mexico. Pacheco-Valladares stated he started to work cutting grass and two (2) weeks ago a man that he only knows as "F" offered him work. "F" provide Pacheco-Valladares a vehicle and a stash house for him to conduct his illicit activities. Pacheco-Valladares claimed that "F" was going to pay him \$40.00 USD per subject, per day. Pacheco-Valladares stated for only today, he was going to receive a total of \$1,040.00 USD. He further told agents he did not know the total amount that he was owed already by "F" and that "F" kept track of the money owed to him for the previous fifteen (15) days of caretaking and transporting illegal immigrants. Pacheco-Valladares claimed that his role at the stash house was to instructed the illegal immigrants when to eat, what time to eat, to be quiet, and not to go outside of the stash house.

MATERIAL WITNESS STATEMENTS:

Elsa Paulina CRUZ-Perez and Maria Isabel BELTRAN-Navarrete were read their right, stated they understood their rights and were willing to provide a sworn statement without the presence of an attorney.

MATERIAL WITNESS STATEMENT: Elsa Paulina CRUZ-Perez

Elsa Paulina CRUZ-Perez, a citizen and national of Guatemala, stated to have illegally entered the United States five days ago. CRUZ was picked up in a truck and transported to a stash house where she stayed for a brief period of time before a man known as "Chapin" arrived in a small four door car. "Chapin" transported her to the house where she was arrested. CRUZ described "Chapin" as a skinny, male subject with a dark complexion and a tattoo on his arm. CRUZ was shown a photo lineup and positively identified "Chapin" as Emanuel Eduardo PACHECO-Valladares. CRUZ also stated "Chapin" demanded \$200.00 USD from family or friends otherwise she would not be provided food during her time at the stash house. CRUZ contacted a friend who provided the \$200.00 USD payment via wired funds. CRUZ also stated that "Chapin" told the people inside the house that they were not allowed to leave the residence and he also instructed them to remain quiet.

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MATERIAL WITNESS STATEMENT: Maria Isabel BELTRAN-Navarrete

Maria Isabel BELTRAN-Navarrete, a citizen and national of Mexico, stated she illegally entered into the United States on July 15, 2016. BELTRAN stated once she crossed into the United States, she was picked up by a white pickup truck. According to BELTRAN, she was taken to a stash house where she remained for one night. The following morning she was taken to a warehouse where she was transferred into an awaiting vehicle. BELTRAN stated the driver of that vehicle took her to the stash house where she was arrest. As per BELTRAN, the driver identified himself as the caretaker of that stash house and ordered her to deposit \$200 (USD) in to his account for food and drinks. BELTRAN was shown a photo lineup and identified Emanuel Eduardo PACHECO-VALLADARES as the caretaker and the person who took her to the second stash house where she was arrested. BELTRAN informed Agents her brother was the one that made the smuggling arrangements and paid the smugglers \$600 (USD) for her to be smuggled into the United Stated. He was going to pay an additional \$600 (USD) once she arrived to San Francisco, California.